

AMENDED

Serial No. 55442

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office NOV 5 - 1990

Returned to applicant for correction JAN 15 1991

Corrected application filed JAN 22 1991 Map filed JAN 22 1991

The applicant DACOLE INVESTMENT COMPANY

100 W. Liberty Street, Suite 900 of Reno City or Town

Nevada 89501 State and Zip Code No. hereby make^s application for permission to change the

Place of Use

Point of diversion, manner of use, and/or place of use
of water heretofore appropriated under a portion of Truckee River Claim 70

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.

1. The source of water is Truckee River via Steamboat Ditch
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed .29 c.f.s. 211.16 ac. ft.
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Irrigation
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for as decreed
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point same as decreed
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing permitted point of diversion is located within Lot 1 Section 31 T19N R18E at a
If point of diversion is not changed, do not answer.
point from which the SE corner of said Section 31 bears S 62° 04' E a distance
of 3195.0 feet - Steamboat Ditch.

7. Proposed place of use a portion of S½ NE, NE NE, NW NE, SE NW Section 11 T18N R19E
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use portion of the S½ NE, NE NE, NW NE Section 11 T18N R19E
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day

10. Use was permitted from as decreed to as decreed of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) existing Steamboat Canal and ditch
State manner in which water is to be diverted, i.e. diversion structure,
ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works none - existing diversion dam & ditch

13. Estimated time required to construct works none - existing diversion dam and ditch

14. Estimated time required to complete the application of water to beneficial use..... 5 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

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By s/ Michael D. Buschelman
5405 Mae Anne Avenue
Reno, Nevada 89523

Compared..... am/se as/se

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of a portion of the waters of the Truckee River as heretofore granted under Claim No. 70, Truckee River Final Decree is issued subject to the terms and conditions imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

There are 15.15 acre-feet of water under Dacole ownership that is to remain under Truckee River Claim No. 70 in excess of the duty required to irrigate the acreage of the proposed place of use of Permits 55440 and 55442. This excess water is to revert back to the roads and any excess water remaining after certification of this right will remain under Claim No. 70 and will be appurtenant to the roads.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 0.29cubic feet per second., and not to exceed 211.16 acre-feet as decreed, and not to exceed a seasonal duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before..... June 7, 1993

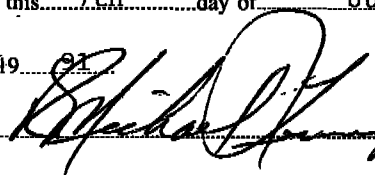
Proof of completion of work shall be filed before..... July 7, 1993

Application of water to beneficial use shall be made on or before..... June 7, 1996

Proof of the application of water to beneficial use shall be filed on or before..... July 7, 1996

Map in support of proof of beneficial use shall be filed on or before..... July 7, 1996

Completion of work filed.....
Proof of beneficial use filed.....
Cultural map filed.....
Certificate No..... Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my
office, this..... 7th day of..... June
A.D. 19..... 91.....

State Engineer